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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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June 10, 1993

Mr. Wendell Owen
Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

Dear Mr. Owen:

Re: Reclamation to Pre-Mining Condition, Co-Op Mining Company,
Bear Canyon Mine, ACT/015/025-93B, Folder #2, Emery County,
Utah

The Tank Seam Permit Application must be revised based on the reclamation plan submitted. The reclamation requirement pursuant to R645-301-414 to R645-301-414.300 must demonstrate that the land will be returned to its premining land-use capability as required by R645-301-413.100.

Requirement R645-301-414 states:

The requirements of R645-301-412.130, for approval of an alternative postmining land use, may be met by requesting approval through the permit revision procedures of R645-303-220 rather than requesting such approval through the original permit application. *The original permit application, however, must demonstrate that the land will be returned to its premining land use capability as required by R645-301-413.100 [italics added].*

An application for a permit revision of this type--

- (i) Must be submitted in accordance with the filing deadlines of R645-303-220,
- (ii) Will constitute a significant alteration from the mining operations contemplated by the original permit, and
- (iii) Shall be subject to the requirements of R645-300-120 through R645-300-155 and R645-300-200.

The reason for this is that, in the event that a permittee forfeits a bond and the reclamation of a site becomes the responsibility of the Division, the Division will not reclaim that site to achieve a postmining configuration which was

Denial of Tank Seam
Bear Canyon Mine
ACT/015/025-93B
Page 2

specified by that permittee, who no longer has an interest in the site. The Division will, rather, reclaim the site to a configuration which is as close to the premining configuration as possible.


In order to reclaim the site to its premining configuration, the Division needs both an accurate plan which shows how that is to be done, and sufficient money to do the necessary reclamation work, in the form of an adequate performance bond which is based on that plan.

The Division cannot approve the Tank Seam Permit Application in its present form because it allows for postmining retention of both the new Tank Seam access road and the Bear Canyon road from its intersection with State Highway 31 in Huntington Canyon to the upper storage pad. Since this is an original application, it must show that all roads will be completely reclaimed and the reclamation cost estimate which accompanies the application, including any revisions which might be made in the original Bear Canyon reclamation cost estimate, must be made on that basis.

At a later time, after approval of the Tank Seam Permit Application, Co-Op Mining Company may, as cited above, apply for a change in the postmining land use to allow for retention of the roads. If Co-Op Mining Company does decide to apply for such a change, that change will constitute a significant revision to the permit, with the attendant requirement of public notice (see R645-300-121), but the bond will not necessarily be reduced.

If you have any questions, please call me.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

cc: Susan White